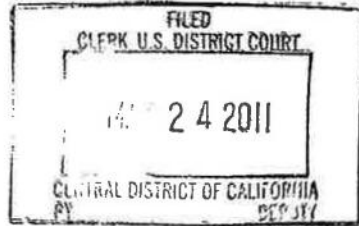


COPY

1 STEPHEN R. MICK (SBN 131569)
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2 **BARNES & THORNBURG LLP**
2049 Century Park East, Suite 3550
3 Los Angeles, California 90067
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5 Attorneys for Plaintiff
SEISMIC STRUCTURAL DESIGN
6 ASSOCIATES, INC.



7
8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA

10
11 SEISMIC STRUCTURAL DESIGN
12 ASSOCIATES, INC., a California
corporation,

13 Plaintiff,

14 v.

15 M. ARTHUR GENSLER JR. &
16 ASSOCIATES, INC., a California
corporation, and NABIH YOUSSEF
17 ASSOCIATES, INC., a California
corporation,

18 Defendants.
19
20
21
22

Case No.

CV11-04472 SJO (SSX)

**COMPLAINT AND DEMAND
FOR JURY TRIAL**

23
24 Plaintiff Seismic Structural Design Associates, Inc., ("SSDA") brings this action
25 against the Defendants M. Arthur Gensler Jr. & Associates, Inc. ("Gensler") and Nabih
26 Youssef Associates ("NYA") (collectively, "Defendants"), and for its cause of action
27 alleges:
28

The Parties

1
2 1. SSDA is a corporation organized and existing under the laws of the State of
3 California, with its principal place of business at 791 East Washington Boulevard, Los
4 Angeles, California 90021.

5 2. Upon information and belief, Gensler is a corporation organized and
6 existing under the laws of the State of California, and is currently doing business within
7 the Central District of California at 2500 Broadway, Suite 300, Santa Monica, CA
8 90404.

9 3. Upon information and belief, NYA is a corporation organized and existing
10 under the laws of the State of California, and is doing business with the Central District
11 of California at 800 Wilshire Boulevard, Suite 200, Los Angeles, CA 90017.

Jurisdiction and Venue

12
13 4. This action arises under the patent laws of the United States, Title 35
14 United States Code, particularly §§ 271 and 281 and Title 28 United States Code,
15 particularly §1338(a). Venue is proper in this Court under Title 28 United States Code
16 §§ 1391(b) and (c) and 1400(b).

The Patents-in-Suit

17
18 5. On October 28, 1997, U.S. Patent No. 5,680,738 ("the '738 patent") was
19 duly and legally issued for a "Steel Frame Stress Reduction Connection." A copy of the
20 '738 patent is attached as Exhibit A and is made a part hereof. By assignment, SSDA is
21 the owner of the '738 patent and at all relevant times has had the right to enforce the
22 '738 patent.

23 6. The '738 patent, in general, relates to load bearing and moment frame
24 connections formed between beams and/or columns, with particular use, but not
25 necessarily exclusive use, in steel frames for buildings, in new construction as well as
26 modification to existing structures.

1 7. On May 29, 2001, U.S. Patent No. 6,237,303 ("the '303 patent") was duly
2 and legally issued for a "Steel Frame Stress Reduction Connection." A copy of the '303
3 patent is attached as Exhibit B and is made a part hereof. By assignment, SSDA is the
4 owner of the '303 patent and at all relevant times has had the right to enforce the '303
5 patent.

6 8. The '303 patent, in general, relates to load bearing and moment frame
7 connections formed between beams and/or columns, with particular use, but not
8 necessarily exclusive use, in steel frames for buildings, in new construction as well as
9 modification to existing structures.

10 9. On May 23, 2006, U.S. Patent No. 7,047,695 ("the '695 patent") was duly
11 and legally issued for a "Steel Frame Stress Reduction Connection." A copy of the '695
12 patent is attached as Exhibit C and is made a part hereof. By assignment, SSDA is the
13 owner of the '695 patent and at all relevant times has had the right to enforce the '695
14 patent.

15 10. The '695 patent, in general, relates to load bearing and moment frame
16 connections formed between beams and/or columns, with particular use, but not
17 necessarily exclusive use, in steel frames for buildings, in new construction as well as
18 modification to existing structures.

19 **Background Facts**

20 11. Sections 9.2b and 10.2b of ANSI/AISC 341 (the AISC *Seismic Provisions*)
21 provide four options for determining the suitability of a particular moment connection
22 for use in a special moment frame ("SMF") connection or intermediate moment frame
23 ("IMF") connection, respectively.

24 12. A connection listed in ANSI/AISC 358 (AISC *Prequalified Connections for*
25 *Special and Intermediate Moment Frames for Seismic Applications*, which are also
26 known as the AISC *Prequalified Connections* for short) can be used.

1 13. Among others, Supplement No. 1 to ANSI/AISC 358-05 adds prequalified
2 details for welded unreinforced flange-welded web ("WUF-W") connections.

3 14. Upon information and belief, WUF-W moment frame connections utilize
4 complete-joint-penetration ("CJP") groove welds to connect the beam flanges to the
5 column flanges. The beam web is bolted to a single-plate shear connection for erection.
6 Subsequently, this plate is used as a backing bar for a CJP groove weld between the
7 beam web and the column flange. A fillet weld also is used. Inelastic rotation is
8 intended to occur in the beam in the region adjacent to the face of the column.
9 Connection fracture is controlled through special detailing requirements associated with
10 the welds joining the beam flanges to the column flange, the welds joining the beam
11 web to the column flange, and the shape and finish of the weld access holes.

12 15. Upon information and belief, the WUF-W moment frame connection is an
13 all-welded moment connection, wherein the beam flanges and the beam web are welded
14 directly to the column flange. A number of welded moment connections that came into
15 use after the 1994 Northridge Earthquake, such as the reduced beam section and
16 connections provided with beam flange reinforcement, were designed to move the
17 plastic hinge away from the face of the column. In the case of the WUF-W moment
18 frame connection, the plastic hinge is not moved away from the face of the column.
19 Rather, the WUF-W moment frame connection employs design and detailing features
20 that are intended to permit the connection to achieve SMF performance criteria without
21 fracture.

22 16. Upon information and belief, the beam flanges in WUF-W moment frame
23 connections are welded to the column flange using CJP groove welds that meet the
24 requirements of demand critical welds in the AISC *Seismic Provisions*, along with
25 specific requirements for treatment of backing and weld tabs and welding quality
26 control and quality assurance requirements. The beam web is welded directly to the
27 column flange using a CJP groove weld that extends the full-depth of the web (*i.e.*, from
28

1 weld access hole to weld access hole). This is supplemented by a single-plate
2 connection, wherein a single plate is welded to the column flange and is then fillet
3 welded to the beam web. Consequently, the beam web is attached to the column flange
4 with both a CJP groove weld and a welded single-plate connection.

5 17. Upon information and belief, the single-plate connection adds stiffness to
6 the beam web connection, drawing stress toward the web connection and away from the
7 beam flange to column connections. The single plate also serves as backing for the CJP
8 groove weld connecting the beam web to the column flange.

9 18. Instead of using a conventional weld access hole detail as specified in
10 Section J1.6 of ANSI/AISC 360 ("the AISC *Specification*"), the WUF-W moment frame
11 connection employs a special seismic weld access hole with requirements on size,
12 shape, and finish that reduce stress concentrations in the region around the access hole
13 (*see, e.g.*, Exhibit D, which is a reprint of Figure 11-1 in the AISC *Seismic Provisions*).

14 19. The length of such special seismic weld access holes is about three times
15 the thickness of the beam flange, or $3 t_{bf} (\pm \frac{1}{2} \text{ in.}) (\pm 13 \text{ mm})$, as shown in Exhibit D.

16 **Claims of Infringement**

17 20. Upon information and belief, Gensler was the architect of a 54-story tower
18 known as the L.A. LIVE hotel and residences ("L.A. LIVE") rising from the intersection
19 of I-10 and I-110 and marking the southwest corner of downtown Los Angeles. Gensler
20 refers to that structure as its "Tower of Innovation." *See, e.g.*, Exhibit E, pages 6-7.

21 21. Upon information and belief, Gensler's Tower of Innovation incorporates
22 WUF-W prequalified moment frame connections.

23 22. Upon information and belief, NYA designs steel frameworks and provides
24 consulting engineering services, promotes its consulting engineering services, and
25 directs the design of steel frameworks and consulting engineering services, including,
26 but not limited to, the design of WUF-W prequalified moment frame connections used
27 to construct Gensler's Tower of Innovation. *See, e.g.*, Exhibit F.

25. SSDA has complied with Title 35 United States Code § 287 and Defendants have therefore been put on constructive or actual notice of all relevant facts.

27. As a consequence of the Defendants' infringement, SSDA has been irreparably damaged and such damage will continue without the issuance of an injunction by this Court.

WHEREFORE, SSDA prays for entry of judgment:

B. That one or more claims of U.S. Patent No. 5,680,738, one or more claims of U.S. Patent No. 6,237,303, and one or more claims of U.S. Patent No. 7,047,695 have been directly and/or indirectly infringed by the Defendants and by others whose infringement has been contributed to and/or induced by Defendants;

D. That Defendants and each of their officers, agents, employees, representatives, successors, assigns, and those acting in privity or concert with them be

1 preliminarily and permanently enjoined from further infringement of U.S. Patent No.
2 5,680,738, U.S. Patent No. 6,237,303, and U.S. Patent No. 7,047,695;

3 E. That Defendants account for and pay to SSDA all damages and costs
4 caused by Defendants' activities complained of herein;

5 F. That SSDA be awarded treble damages for Defendants' willful
6 infringement pursuant to Title 35 United States Code § 284;

7 G. That SSDA be granted pre-judgment and post-judgment interest on the
8 damages caused by reason of Defendants' activity complained of herein;

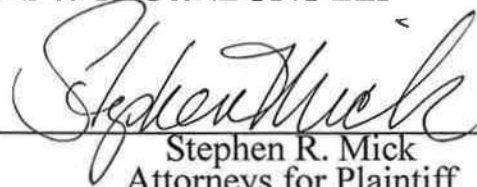
9 H. That SSDA be granted its attorneys' fees in this action; and

10 I. That SSDA be granted such other and further relief that is just and proper
11 under the circumstances.

12 Dated: May 10, 2011

BARNES & THORNBURG LLP

13
14
15 By



Stephen R. Mick

Attorneys for Plaintiff

16 SEISMIC STRUCTURAL DESIGN ASSOCIATES,
17 INC.

18 OF COUNSEL

James R. Burdett

Barnes & Thornburg LLP

1717 Pennsylvania Avenue, N.W.

Washington, DC 20006-4623

Telephone: (202) 289-1313

20 Facsimile: (202) 289-1330
21
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DEMAND FOR JURY TRIAL

Plaintiff Seismic Structural Design Associates, Inc. hereby demands a trial by jury on all causes of action that are triable by jury.

Dated: May 10, 2011

BARNES & THORNBURG LLP

By 
Stephen R. Mick
Attorneys for Plaintiff
SEISMIC STRUCTURAL DESIGN ASSOCIATES,
INC.

OF COUNSEL
James R. Burdett
Barnes & Thornburg LLP
1717 Pennsylvania Avenue, N.W.
Washington, DC 20006-4623
Telephone: (202) 289-1313
Facsimile: (202) 289-1330

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY

This case has been assigned to District Judge S. James Otero and the assigned discovery Magistrate Judge is Suzanne H. Segal.

The case number on all documents filed with the Court should read as follows:

CV11- 4472 SJO (SSx)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

=====

NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:

☒ **Western Division**
312 N. Spring St., Rm. G-8
Los Angeles, CA 90012

☐ **Southern Division**
411 West Fourth St., Rm. 1-053
Santa Ana, CA 92701-4516

☐ **Eastern Division**
3470 Twelfth St., Rm. 134
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

Stephen R. Mick (SBN 131569)
smick@btlaw.com
BARNES & THORNBURG LLP
2049 Century Park East, Suite 3550
Los Angeles, California 90067
Tel: 310-284-3880 Fax: 310-284-3894

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

SEISMIC STRUCTURAL DESIGN ASSOCIATES,
INC., a California corporation,

PLAINTIFF(S)

v.

M. ARTHUR GENSLER JR. & ASSOCIATES, INC.,
a California corporation, and NABIH YOUSSEF
ASSOCIATES, INC., a California corporation,

DEFENDANT(S).

CASE NUMBER

CV11-04472 SJO(SSX)

SUMMONS

TO: DEFENDANT(S): M. Arthur Gensler Jr. & Associates, Inc. and Nabih Youssef Associates, Inc.

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached ☒ complaint ☐ _____ amended complaint ☐ counterclaim ☐ cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Stephen R. Mick, whose address is 2049 Century Park East, Suite 3550, Los Angeles, California 90067. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

MAY 24 2011

Dated: _____

Clerk, U.S. District Court

JULIE PRADO

By: _____

Deputy Clerk

(Seal of the Court)

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

CONFORMUNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

| | |
|--|---|
| I (a) PLAINTIFFS (Check box if you are representing yourself <input type="checkbox"/>) SEISMIC STRUCTURAL DESIGN ASSOCIATES INC. | DEFENDANTS M. ARTHUR GENSLE JR. & ASSOCIATES, INC. and NABIH YOUSSEF ASSOCIATES, INC. |
| (b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.) Barnes & Thornburg LLP; Stephen R. Mick (SBN 131569), smick@btlaw.com; 2049 Century Park East, Suite 3550, Los Angeles, California 90067; Tel: 310-284-3880; Fax 310-284-3894 | Attorneys (If Known) |

| | | | | | | | | | | | | | | | | | | | |
|---|---|--------------------------------|---|--------------------------------|---|--------------------------------|--------------------------------|--------------------------|--------------------------------|--------------------------------|---|--------------------------------|--------------------------------|---|--------------------------------|--------------------------------|----------------|--------------------------------|--------------------------------|
| II. BASIS OF JURISDICTION (Place an X in one box only.) <input type="checkbox"/> 1 U.S. Government Plaintiff <input type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) <input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III) | III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant.) <table style="width:100%;"> <tr> <td style="width:33%;">Citizen of This State</td> <td style="width:10%;">PTF <input type="checkbox"/> 1</td> <td style="width:10%;">DEF <input type="checkbox"/> 1</td> <td style="width:33%;">Incorporated or Principal Place of Business in this State</td> <td style="width:10%;">PTF <input type="checkbox"/> 4</td> <td style="width:10%;">DEF <input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td>PTF <input type="checkbox"/> 2</td> <td>DEF <input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td>PTF <input type="checkbox"/> 5</td> <td>DEF <input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td>PTF <input type="checkbox"/> 3</td> <td>DEF <input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td>PTF <input type="checkbox"/> 6</td> <td>DEF <input type="checkbox"/> 6</td> </tr> </table> | Citizen of This State | PTF <input type="checkbox"/> 1 | DEF <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in this State | PTF <input type="checkbox"/> 4 | DEF <input type="checkbox"/> 4 | Citizen of Another State | PTF <input type="checkbox"/> 2 | DEF <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | PTF <input type="checkbox"/> 5 | DEF <input type="checkbox"/> 5 | Citizen or Subject of a Foreign Country | PTF <input type="checkbox"/> 3 | DEF <input type="checkbox"/> 3 | Foreign Nation | PTF <input type="checkbox"/> 6 | DEF <input type="checkbox"/> 6 |
| Citizen of This State | PTF <input type="checkbox"/> 1 | DEF <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in this State | PTF <input type="checkbox"/> 4 | DEF <input type="checkbox"/> 4 | | | | | | | | | | | | | | |
| Citizen of Another State | PTF <input type="checkbox"/> 2 | DEF <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | PTF <input type="checkbox"/> 5 | DEF <input type="checkbox"/> 5 | | | | | | | | | | | | | | |
| Citizen or Subject of a Foreign Country | PTF <input type="checkbox"/> 3 | DEF <input type="checkbox"/> 3 | Foreign Nation | PTF <input type="checkbox"/> 6 | DEF <input type="checkbox"/> 6 | | | | | | | | | | | | | | |

IV. ORIGIN (Place an X in one box only.)
☒ 1 Original Proceeding
 ☐ 2 Removed from State Court
 ☐ 3 Remanded from Appellate Court
 ☐ 4 Reinstated or Reopened
 ☐ 5 Transferred from another district (specify):
 ☐ 6 Multi-District Litigation
 ☐ 7 Appeal to District Judge from Magistrate Judge

V. REQUESTED IN COMPLAINT: JURY DEMAND: ☒ Yes ☐ No (Check 'Yes' only if demanded in complaint.)
CLASS ACTION under F.R.C.P. 23: ☐ Yes ☒ No **MONEY DEMANDED IN COMPLAINT:** \$ _____

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)
 Patent infringement 35 USC §271

VII. NATURE OF SUIT (Place an X in one box only.)

| | | | | | |
|---|--|--|---|--|--|
| OWNER REMEDIES <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes | CONTRACT <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property | TORTS PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions | TORTS PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability BANKRUPTCY <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights | PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 Habeas Corpus General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition WORTHINESS/REHABILITATION <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other | LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input checked="" type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSDI Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609 |
|---|--|--|---|--|--|

CV11-04472

FOR OFFICE USE ONLY: Case Number: _____

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

VIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? ☒ No ☐ Yes

If yes, list case number(s): _____

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? ☒ No ☐ Yes

If yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or
☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or
☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named plaintiff resides.

☐ Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

| | |
|---------------------------|---|
| County in this District:* | California County outside of this District; State, if other than California; or Foreign Country |
| Los Angeles County | |

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named defendant resides.

☐ Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

| | |
|---------------------------|---|
| County in this District:* | California County outside of this District; State, if other than California; or Foreign Country |
| Los Angeles County | |

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** claim arose.

Note: In land condemnation cases, use the location of the tract of land involved.

| | |
|---------------------------|---|
| County in this District:* | California County outside of this District; State, if other than California; or Foreign Country |
| Los Angeles County | |

* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

Note: In land condemnation cases, use the location of the tract of land involved.

X. SIGNATURE OF ATTORNEY (OR PRO PER):  Date May 10, 2010

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

| Nature of Suit Code | Abbreviation | Substantive Statement of Cause of Action |
|---------------------|--------------|--|
| 861 | HIA | All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b)) |
| 862 | BL | All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923) |
| 863 | DIWC | All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g)) |
| 863 | DIWW | All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g)) |
| 864 | SSID | All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended. |
| 865 | RSI | All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g)) |